



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAYMOND GILLEN,

Petitioner,

vs.

JIM BENEDETTI, et al.,

Respondents.

Case No. 3:08-CV-00639-BES-(VPC)

**ORDER**

Petitioner has paid the filing fee. The Court has reviewed his Petition for a Writ of Habeas Corpus pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The Petition is without merit on its face, and the Court denies it.

Petitioner is a prisoner in the custody of the Nevada Department of Corrections. He filed in the First Judicial District Court of the State of Nevada a habeas corpus petition. That court denied the petition. Petitioner appealed, and the Nevada Supreme Court affirmed.

In all three grounds, Petitioner alleges that the Nevada Supreme Court erred in affirming the denial of his state habeas corpus petition. "[A] petition alleging errors in the state post-conviction review process is not addressable through habeas corpus proceedings." Franzen v. Brinkman, 877 F.2d 26, 26 (9th Cir. 1989); see also Gerlaugh v. Stewart, 129 F.3d 1027, 1045 (9th Cir. 1997). All three grounds are without merit.

IT IS THEREFORE ORDERED that the Clerk of the Court shall file the Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254.

///

1 IT IS FURTHER ORDERED that the Petition for a Writ of Habeas Corpus Pursuant to  
2 28 U.S.C. § 2254 is **DENIED**. The Clerk of the Court shall enter judgment accordingly.

3 DATED: This 31<sup>st</sup> day of March, 2009.

4  
5 

6 BRIAN E. SANDOVAL  
7 United States District Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28